



City Council
Atlanta, Georgia

A **SUBSTITUTE ORDINANCE**
BY: ZONING COMMITTEE

Z-00-98
00-O-2065

AN ORDINANCE TO AMEND THE CITY OF ATLANTA ZONING ORDINANCE, CODIFIED AS PART 16 OF THE MUNICIPAL CODE, SO AS TO ESTABLISH LIMITATIONS ON CERTAIN DIGITAL INDUSTRY USES IN THE SPI-1 CENTRAL CORE, SPI-2 NORTH AVENUE, SPI-3 MIDTOWN, SPI-4 ARTS CENTER, SPI-9 BUCKHEAD COMMERCIAL CORE, SPI-10 UPPER MIDTOWN NEIGHBORHOOD, SPI-12 BUCKHEAD/LENOX STATIONS, AND SPI-13 CENTENNIAL OLYMPIC PARK SPECIAL PUBLIC INTEREST DISTRICTS, AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has an interest in protecting the public safety and general welfare, and is able to do so through the regulation of permitted uses, and

WHEREAS, street-level pedestrian-oriented uses are an integral part of the urban experience and are crucial to the development of a successful, vibrant urban environment, and

WHEREAS, a vibrant street life is crucial to the resurgence of the Downtown, Midtown, and Buckhead commercial districts, and

WHEREAS, certain uses such as digital industry equipment, storage facilities and parking facilities at ground level locations are detrimental to an active street life insofar as they create blank façade walls and unsightly conditions, and generate little pedestrian traffic,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS:

SECTION 1. That Section 16-18A.003 in SPI-1 of the City of Atlanta Municipal Code, the Zoning Ordinance, be amended by adding a new paragraph (34) to read as follows:

- (34) Digital industry switchboards, power generators and other relay equipment and rooms housing such equipment when located on subterranean levels or the second floor above sidewalk level and higher, or on ground floors provided that retail, office, institutional, or residential uses are provided for a minimum depth of twenty (20) feet from any building façade along the public sidewalk and entrances to such uses are directly accessible, visible and adjacent to the public sidewalk.



SECTION 2. That Section 16-18A.007 in SPI-1 of the City of Atlanta Municipal Code, the Zoning Ordinance, be amended by adding a new subsection (6) to read as follows:

(6) Relationship of building to street:

Ground floor uses with street frontage shall only be retail, office, institutional, or residential and entrances shall be directly accessible, visible and adjacent to the public sidewalk. Said uses shall be provided for a minimum depth of twenty (20) feet from any building façade along the public sidewalk, unless existing topographical considerations render this requirement unreasonable.

SECTION 3. That Section 16-18B.003 in SPI-2 of the City of Atlanta Municipal Code, the Zoning Ordinance, be amended by adding a new paragraph (28) to read as follows:

- (28) Digital industry switchboards, power generators and other relay equipment and rooms housing such equipment when located on subterranean levels or the second floor above sidewalk level and higher, or on ground floors provided that retail, office, institutional, or residential uses are provided for a minimum depth of twenty (20) feet from any building façade along the public sidewalk and entrances to such uses are directly accessible, visible and adjacent to the public sidewalk.

SECTION 4. That Section 16-18B.007 in SPI-2 of the City of Atlanta Municipal Code, the Zoning Ordinance, be amended by adding a new subsection (6) to read as follows:

(6) Relationship of building to street:

Along arterial streets, ground floor uses with street frontage shall only be retail, office, institutional, or residential and entrances shall be directly accessible, visible and adjacent to the public sidewalk. Said uses shall be provided for a minimum depth of twenty (20) feet from any building façade along the public sidewalk, unless existing topographical considerations render this requirement unreasonable.

SECTION 5. That Section 16-18C.003 in SPI-3 of the City of Atlanta Municipal Code, the Zoning Ordinance, be amended by adding a new paragraph (28) to read as follows:

- (28) Digital industry switchboards, power generators and other relay equipment and rooms housing such equipment when located on subterranean levels or the second floor above sidewalk level and higher, or on ground floors provided that retail, office, institutional, or residential uses are provided for a minimum depth of twenty (20) feet from any building façade along the public sidewalk and entrances to such uses are directly accessible, visible and adjacent to the public sidewalk.



SECTION 6. That Section 16-18C.007 in SPI-3 of the City of Atlanta Municipal Code, the Zoning Ordinance, be amended by adding a new subsection (6) to read as follows:

(6) Relationship of building to street:

Along arterial streets, ground floor uses with street frontage shall only be retail, office, institutional, or residential and entrances shall be directly accessible, visible and adjacent to the public sidewalk. Said uses shall be provided for a minimum depth of twenty (20) feet from any building façade along the public sidewalk, unless existing topographical considerations render this requirement unreasonable.

SECTION 7. That Section 16-18D.003 in SPI-4 of the City of Atlanta Municipal Code, the Zoning Ordinance, be amended by adding a new paragraph (28) to read as follows:

- (28) Digital industry switchboards, power generators and other relay equipment and rooms housing such equipment when located on subterranean levels or the second floor above sidewalk level and higher, or on ground floors provided that retail, office, institutional, or residential uses are provided for a minimum depth of twenty (20) feet from any building façade along the public sidewalk and entrances to such uses are directly accessible, visible and adjacent to the public sidewalk.

SECTION 8. That Section 16-18D.007 in SPI-4 of the City of Atlanta Municipal Code, the Zoning Ordinance, be amended by adding a new subsection (6) to read as follows:

(6) Relationship of building to street:

Along arterial streets, ground floor uses with street frontage shall only be retail, office, institutional, or residential and entrances shall be directly accessible, visible and adjacent to the public sidewalk. Said uses shall be provided for a minimum depth of twenty (20) feet from any building façade along the public sidewalk, unless existing topographical considerations render this requirement unreasonable.

SECTION 9. That SPI-9 of the City of Atlanta Municipal Code, the Zoning Ordinance, be amended by adding a new Section and paragraphs to read as follows:

Sec. 16-18I.005 Permitted principal uses and structures.

- (1) Digital industry switchboards, power generators and other relay equipment and rooms housing such equipment when located on subterranean levels or the second floor above sidewalk level and higher, or on ground floors provided that retail, office, institutional, or residential uses are provided for a minimum depth of twenty (20) feet from any building façade along the public sidewalk and entrances to such uses are directly accessible, visible and adjacent to the public sidewalk.



- (2) Along arterial streets, ground floor uses with street frontage shall only be retail, office, institutional, or residential and entrances shall be directly accessible, visible and adjacent to the public sidewalk. Said uses shall be provided for a minimum depth of twenty (20) feet from any building façade along the public sidewalk, unless existing topographical considerations render this requirement unreasonable.

SECTION 10. That SPI-10 of the City of Atlanta Municipal Code, the Zoning Ordinance, be amended by adding a new Section and paragraph to read as follows:

Sec. 16-18J.007 Permitted principal uses and structures.

Digital industry switchboards, power generators and other relay equipment and rooms housing such equipment when located on subterranean levels or the second floor above sidewalk level and higher, or on ground floors provided that retail, office, institutional, or residential uses are provided for a minimum depth of twenty (20) feet from any building façade along the public sidewalk and entrances to such uses are directly accessible, visible and adjacent to the public sidewalk.

SECTION 11. That Section 16-18J.004 in SPI-10 of the City of Atlanta Municipal Code, the Zoning Ordinance, be amended by adding a new paragraph (d) to subsection (3) to read as follows:

- d) Ground floor uses with street frontage shall only be retail, office, institutional, or residential and entrances shall be directly accessible, visible and adjacent to the public sidewalk. Said uses shall be provided for a minimum depth of twenty (20) feet from any building façade along the public sidewalk, unless existing topographical considerations render this requirement unreasonable.

SECTION 12. That Section 16-18L.004 in SPI-12 of the City of Atlanta Municipal Code, the Zoning Ordinance, be amended by adding new paragraphs (3) and (4) to read as follows:

- (3) Digital industry switchboards, power generators and other relay equipment and rooms housing such equipment when located on subterranean levels or the second floor above sidewalk level and higher, or on ground floors provided that retail, office, institutional, or residential uses are provided for a minimum depth of twenty (20) feet from any building façade along the public sidewalk and entrances to such uses are directly accessible, visible and adjacent to the public sidewalk.
- (4) Along arterial streets, ground floor uses with street frontage shall only be retail, office, institutional, or residential and entrances shall be directly accessible, visible and adjacent to the public sidewalk. Said uses shall be provided for a minimum depth of twenty (20) feet from



any building façade along the public sidewalk, unless existing topographical considerations render this requirement unreasonable.

SECTION 13. That Section 16-18M.005 in SPI-13 of the City of Atlanta Municipal Code, the Zoning Ordinance, be amended by adding a new paragraph (24) to read as follows:

- (24) Digital industry switchboards, power generators and other relay equipment and rooms housing them when located on subterranean levels or the second floor above sidewalk level and higher, or on ground floors provided that retail, office, institutional, or residential uses are provided for a minimum depth of twenty (20) feet from any building façade along the public sidewalk and entrances to such uses are directly accessible, visible and adjacent to the public sidewalk.

SECTION 14. That Section 16-18M.014 in SPI-13 of the City of Atlanta Municipal Code, the Zoning Ordinance, be amended by adding a new subsection (d) to read as follows:

- (d) Ground floor uses with street frontage shall only be retail, office, institutional, or residential and entrances shall be directly accessible, visible and adjacent to the public sidewalk. Said uses shall be provided for a minimum depth of twenty (20) feet from any building façade along the public sidewalk, unless existing topographical considerations render this requirement unreasonable.

SECTION 15. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

A true copy,

Rhonda Dauphin Johnson
Municipal Clerk, CMC

ADOPTED as amended by the Council
APPROVED by the Mayor

FEB 05, 2001
FEB 13, 2001

1/30/01
5/5



RCS# 2589
2/05/01
4:43 PM

Atlanta City Council

Regular Session

00-O-2065 Z-00-98; Text Amendment (Limit Digital
Hotels)
ADOPT/SUB/AMEND

YEAS: 11
NAYS: 1
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y McCarty	B Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	NV Maddox	Y Alexander
NV Winslow	Y Muller	N Boazman	NV Pitts

00-0-2065

(Do Not Write Above This Line)

2-00-98

AN ORDINANCE
BY COUNCILMAN DOUG ALEXANDER

AN ORDINANCE TO MAINTAIN COMMERCIAL
STREET LEVEL RETAIL USES IN THE CITY
OF ATLANTA, AND FOR OTHER PURPOSES.

REFERRED BY JAN 02 2001
CITY COUNCIL

ADOPTED BY
FEB 05 2001
COUNCIL

AS AMENDED

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☒ PERSONAL PAPER REFER

Date Referred

12/4/00

Referred To:

Zoning

Date Referred

1/2/01

Referred To:

Zoning Review Board Equiv

Date Referred

Referred To:

First Reading

Committee

Date

Chair

Referred to

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

☒ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

RECEIVED
FEB 5 2001

ATLANTA CITY COUNCIL PRESIDENT

Robert A. Parker

RECEIVED
FEB 07 2001

ATLANTA CITY COUNCIL CLERK

MAYOR'S ACTION

FEB 19 2001

John C. McCall